Hand-Delivered

FILED ASHEVILLE, NC

FEB 2 6 2024

U.S. DISTRICT COURT W. DISTRICT OF N.C.

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

RYAN CRAIG STEVENS

Plaintiff,

v.

MONTREAT COLLEGE; DR. PAUL J. MAURER; DR. DANIEL T. BENNETT; DR. DOROTHEA K. SHUMAN; and DR. RYAN T. ZWART.

Defendants.

Case No. 1:23-cv-00284-MR-WCM

MOTION FOR COURT TO ORDER SERVICE OF THE SECOND AMENDED COMPLAINT AND SUMMONSES

Pursuant to Rule 4(c)(3) of the Federal Rules of Civil Procedure, Plaintiff, Ryan Craig Stevens, respectfully motions the Court to order service of the Second Amended Complaint and Summonses be made by a United States marshal, or deputy marshal, or by a person specifically appointed by the court.

In support of this motion, Plaintiff shows good cause, as follows:

- 1. The Individual Defendants allege they have not been properly served.
- 2. Plaintiff's in person request was not received by the Court, as it appeared the Clerk's Office assistant was unaware the Court may grant such request.
- 3. Plaintiff requested the Court to serve the Second Amended Complaint and Summonses, but was informed the Court does not offer such service, unless an in forma pauperis is granted.
- 4. The assistant informed Plaintiff he may request such service from the U.S. Marshals Services office, but after immediately requesting such in person, his request was denied without consideration.
- 5. The Buncombe County Sheriff's Office had issues serving the Individual Defendants, and it is uncertain whether any defects of service may need to be corrected.

WHEREFORE, Plaintiff respectfully requests the Court enter an order granting Plaintiff's Motion for the Court to order service of the Second Amended Complaint and Summonses be made by a United States marshal, or deputy marshal, or by a person specifically appointed by the court.

Dated this 26th Day of February, 2024.

Ryan Craig Stevens

23 Sleepy Hollow Lane Swannanoa, NC 28778 (865) 469-1950 Ryan Stevens316@icloud.com

Plaintiff in pro se

## CERTIFICATE OF SERVICE

I, PLAINTIFF, hereby certify the foregoing MOTION FOR COURT TO SERVE THE COMPLAINT AND SUMMONSES ON DEFENDANTS be made by a United States marshal, or deputy marshal, or by a person specifically appointed by the court was filed, this day, via the CM/ECF system, and served contemporaneously via U.S. mail and email to Defendants' counsel:

> Beth Tyner Jones, N.C. State Bar No. 15923 Jesse A. Schaefer, N.C. State Bar No. 44773 Womble Bond Dickinson (US) LLP 555 Fayetteville Street, Suite 1100 Raleigh, NC 27601 Telephone: (919) 755-8125

Facsimile: (919) 755-6752

Email: Jesse.Schaefer@WBD-US.com

Beth.Jones@WBD-US.com

Counsel for Defendants (Montreat College, et al.)

Dated this 26th Day of February, 2024.

Ryan Craig Stevens

23 Sleepy Hollow Lane Swannanoa, NC 28778 (865) 469-1950 Ryan Stevens316@icloud.com

Plaintiff in pro se